

REMARKS

Claims 5, 6, 19 and 22 - 33 are pending in the present application. Claims were 5, 6 and 19 were amended and new claims 22- 33 were added. Claims 1, 3, 4, 7, 8, 9, 10, and 14 – 18 were cancelled without prejudice.

Claims 5, 6 and 19 were rejected under 35 USC §103(a) as being unpatentable over US Patent No. 5884425 (*Baldwin*) in view of US Patent 5981166 (*Mandecki*). One skilled in the art would not combine *Mandecki* with *Baldwin*. There must be some teaching, suggestion or motivation in the prior art to combine references. Here, there is no teaching or suggestion to combine *Mandecki* with *Baldwin*. *Mandecki* teaches away from the combination of references. *Mandecki* teaches a method for identifying a pure chemical compound or mixture for use in scientific studies. The sample must not become contaminated.

Further, contrary the Examiner's assertion, *Mandecki* does not teach or suggest a tag with all the limitations of independent claims 5 or 19 including using transponders and holographic encoding. *Mandecki* discloses using holograms as an alternative to transponders. See, *Mandecki* at col. 4, lines 44-49. Similarly, *Baldwin* alone/or in combination with *Mandecki* does not teach or suggest a tag with all the limitations of claim 6 including a transponder and microprinting. *Mandecki* teaches using microprinting in place of a transponder. Thus, there is no teaching or suggestion to combine *Mandecki* with *Baldwin*. Accordingly, claims 5, 6, 19 and 22 – 33 are patentable.

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CONCLUSION

Applicant asserts that all of the objections have been obviated and, therefore now respectfully requests withdrawal of the objections, and allowance of the application.

Respectfully submitted,

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